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MEMO ENDORSED

November 27, 2019

VIA ECF

Honorable Judge Valerie Caproni
United States Courthouse
40 Foley Square, Courtroom 443
New York, NY 10007

USDC SDNY
DOCUMENT
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Re: Mercer v. The Beachcomber Villas, Inc.
SDNY Case No.: 1:19-cv-07254

Dear Judge Caproni,

This office represents the Plaintiff, Stacey Mercer, in the above-captioned case. An initial pre-trial conference is scheduled for December 6, 2019 at 10:00 a.m.

The Summons and Complaint were just served on the Defendant with an answer therefore due on December 13, 2019. To date no one has filed an appearance in the action for Defendant, The Beachcomber Villas. As such, Plaintiff respectfully requests that this Court adjourn the conference to an alternate date and time to allow Defendant time to make an appearance. This is our first request for an adjournment of this conference, and the request will not prejudice any parties or affect any other scheduled dates.

We thank the Court for your time and consideration in this matter.

SO ORDERED.

Respectfully Submitted,


12/2/2019

Law Offices of Nolan Klein, P.A.

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

By: /s/ Hector V. Ramirez
HECTOR V. RAMIREZ, ESQ.

HVR/amd

Application GRANTED. The IPTC is ADJOURNED to **January 24, 2020, at 10:00 a.m.** The parties joint pre-conference letter is due no later than **January 16, 2020**. No later than **January 9, 2020**, the parties must meet and confer for at least one hour in a good-faith attempt to settle this case.

IT IS FURTHER ORDERED that no later than **December 16, 2019**, Plaintiff's counsel must show cause why this Court should not sanction counsel for failing to comply with the Court's August 6, 2019, order, Dkt. 3, scheduling the IPTC, which warned counsel that failing to comply may result in sanctions and stated that the parties must meet and confer no later than November 18, 2019; yet Plaintiff did not serve Defendant until November 22, 2019. In addition, Plaintiff failed to serve Defendant within ninety days of filing the Complaint, as required by Fed. R. Civ. P. 4(m).